

# EXHIBIT D

# PHILIPS

## Philips Lumileds Lighting Company

370 W. Trimble Road, San Jose, California 95131 USA

Dear Sir or Madam:

This is to inform [REDACTED] that Philips Lumileds believes that certain products made or sold by your company that contain Epistar's high-brightness AlInGaP LEDs are infringing Philips Lumileds' intellectual property rights.

In particular, Epistar's high-brightness AlInGaP LEDs have been found to infringe U.S. Patent 5,008,718 ('718 patent) and are also infringing other Philips Lumileds patents on the use of wafer bonding to manufacture transparent-substrate and mirrored-substrate AlInGaP LEDs (U.S. Patent Nos. 5,376,580 and 5,502,316).

The U.S. International Trade Commission (ITC) issued a Notice of Commission Decision on May 9, 2007, in which it held that all of Epistar's OMA, MB and GB LED products infringe Philips Lumileds' '718 patent. Because of this infringement, the ITC has issued an Exclusion Order prohibiting the importation into the United States of these Epistar LEDs, packaged LEDs and lamps containing the infringing LEDs, and boards primarily consisting of arrays of such packaged LEDs.

Philips Lumileds is willing to assist you in analyzing and evaluating your products, including packaged LEDs, lamps, and LED array boards, to determine whether they contain Epistar's infringing high-brightness AlGaInP LEDs are thus subject to the ITC's exclusion order.

The enclosed attachments from the law firm of Morgan Lewis & Bockius LLP and the ITC summarize the overall impact of the ITC's recent decision and the potential risks assumed by the continued use of infringing Epistar LED products.

Philips Lumileds intends to assert its intellectual property rights aggressively while offering customers lawful alternatives in LED technology. In particular, Philips Lumileds can offer customers alternatives to Epistar's infringing products that are both competitive and free of any supply chain disruption due to the ITC's Exclusion Order. Should you be interested in our products, please feel free to contact us.



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LIGHT FROM SILICON VALLEY

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- Attachment #1:** Philips Lumileds Patent Rights Covering High-Brightness Light Emitting Diodes from Morgan Lewis, Counselors at Law.
- Attachment #2:** U.S. International Trade Commission Notice of Decision and Exclusion Order.

Regards,

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